

# **MICHIGAN DOMESTIC AND SEXUAL VIOLENCE PREVENTION AND TREATMENT BOARD**

## **MEETING MINUTES**

**February 15, 2013**

**\*\*\* Approved \*\*\***

### **Members Present:**

Cris Sullivan, Chair  
Yvonne Brantley  
Jeffrie Cape  
James Fink  
Hon. Elizabeth Pollard Hines  
Kathryn Hoover  
Jeffrey Sauter

### **Staff Present:**

Debi Cain, Executive Director  
Michael Bobbitt, Board Secretary  
Celestine Colton  
Donna Cornwell  
Debbie Felder-Smith  
Carol Hackett Garagiola  
Julie Giddings  
Sarah Heuser  
Gail Krieger  
Mary Lovik  
Tiffany Martinez  
Karen Porter  
Joyce Wright

### **Guests:**

Dede Ford - Prosecuting Attorneys Association of Michigan  
Angelica Velasco Gunn - Michigan Coalition to End Domestic and Sexual Violence  
Tom Knapp - Michigan Chapter of the National Children's Alliance  
John Lazet - Attorney General's Office  
Genevieve Marnon - Right to Life of Michigan  
Mary Pollock - Michigan National Organization of Women  
Ed Rivet - Right to Life of Michigan  
Tom Robertson - Michigan Prosecuting Attorneys Coordinating Council  
Herb Tanner - Prosecuting Attorneys Association of Michigan  
Stacy Westra - SCAO, Trial Court Services

### **Welcome and Introductions**

Chair C. Sullivan convened the February 15, 2013 Michigan Domestic and Sexual Violence Prevention and Treatment Board meeting at the DHS, Grand Tower Building in Lansing, Michigan at 2:05 p.m. Introductions were made and a welcome extended to guests.

### **BOARD CONSENT**

Review of agenda; approval of January 18, 2013 meeting minutes.

**MOTION: Moved by J. Fink to approve the February 15, 2013 agenda and to approve the January 18, 2013 meeting minutes. Seconded by K. Hoover. Motion carried.**

## **CHAIR'S REPORT**

C. Sullivan had no updates.

## **EXECUTIVE DIRECTOR'S REPORT – GENERAL OVERVIEW OF WORK TO DATE**

D. Cain said that due to a family emergency, the budget update by Patsy Baker and Amanda Bright McClanahan will be rescheduled to the next Board meeting on March 15<sup>th</sup>.

D. Cain updated the Board on communications with the Governor's Office and the Department of Community Health regarding a recently-enacted law requiring health care professionals providing abortions to screen for coercion to have the abortion. The law charges the Board with assisting to develop a screening tool and training materials for health care professionals, to protect victims of domestic and/or sexual violence from coercive abortion. D. Cain reported that the Board has been able to provide a substantial amount of data and information to the Governor's Office regarding coercive abortion. D. Cain further reported that the Governor's office asked the Board to provide information about mental health issues and how they relate to issues of victimization against women.

M. Lovik reported on "Erin's Law," a recently-enacted law requiring the Governor to appoint members to a task force on the prevention of child sexual abuse, to be housed within DHS. DHS Director Maura Corrigan has designated MDSVPTB staff member C. Hackett Garagiola to chair the task force.

D. Cain updated the Board on the National Institute of Justice project on sexual assault kits in Detroit. She reported that Prosecutor Kym Worthy is working hard to ensure that these sexual assault kits continue to be processed.

K. Porter presented information about the Board's quality assurance program, the goal of which is to ensure significant, meaningful services and assistance for survivors of domestic violence and sexual assault by promoting excellence and strengthening organizations. The Board is legislatively mandated to support funded domestic violence and sexual assault agencies by providing technical assistance, developing standards for the implementation and administration of services, and monitoring to those standards. There are three primary types of monitoring activities/reviews: desk, contract, and standards. Some of these activities occur off-site and some are on-site. A peer review process is used to determine if agencies adequately meet the standards. K. Porter said that the monitoring process has increased in scope over the years and that current activities are carried out much more efficiently than in the past.

## **Legislative Review**

M. Lovik reported on SB 76 and SB 77, which would amend the Sex Offenders Registration Act to add day

care centers to student safety zones, and lift the Act's prohibitions on loitering or residing within student safety zones for registrants who have not offended against child victims. This relaxation of loitering and residence restrictions appears to be based on a faulty assumption that sex offenders convicted of crimes against adult victims do not pose a danger of re-offending against children.

Staff recommendation: Rather than taking action on these bills, consider amending an existing general principle to reflect research showing that sex offenders do not choose their victims based on age, as follows (proposed amendments in all capital letters):

**May 20, 2005: Protecting minors from sex offenders**

Consistent with its work to prevent occurrences of sexual violence in Michigan, the Michigan Domestic AND SEXUAL Violence Prevention & Treatment Board supports in concept legislative action to protect minors from sex offenders. The Board is cognizant of the need to protect minors from sex offenders who may be strangers, and also recognizes that the majority child victims of sexual assault are assaulted by sex offenders who are family members, friends, or acquaintances. MOREOVER, THE BOARD RECOGNIZES THAT MANY SEX OFFENDERS COMMIT MULTIPLE CRIMINAL OFFENSES, INCLUDING MULTIPLE SEXUAL OFFENSES AGAINST BOTH ADULT AND CHILD VICTIMS. MANY SUCH OFFENSES GO UNREPORTED.

**MOTION: Moved by L. Hines to amend the General Principle as proposed and to take no position on SB 76, 77. Motion seconded by J. Cape. Motion carried.**

M. Lovik reported on SB 105 - SB 107, requiring DNA samples to be collected from persons arrested for committing or attempting to commit felony crimes.

Staff recommendation: No position at this time pending the outcome of a US Supreme Court case considering the constitutionality of collecting DNA samples from persons who have been arrested but not yet charged with crimes.

Discussion: J. Sauter would support the bills in concept because they will facilitate apprehension and prosecution of sexual assault perpetrators. While recognizing the unresolved constitutional issues, this legislative proposal is consistent with the Board's ideals. J. Fink expressed concern about the destruction of the collected DNA samples if the arrestee from whom they were taken was released without being charged with a crime.

**MOTION: Moved by J. Sauter to support the bills in concept. Motion seconded by K. Hoover. Five Board members opposed. Motion did not pass.**

**PUBLIC COMMENT:** No comments.

**PROCESS EVALUATION:** No comments.

**ADJOURNMENT :**

**MOTION: Moved by Y. Brantley to adjourn the meeting. Motion seconded by J. Fink. Motion Carried.  
The meeting ended at 4:15 p.m.**

Respectfully submitted,  
Michael Bobbitt